

PK-5K2-J

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
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LINDA MARSHALL, BEN DAMPIOS, AL  
SPILLOWAY, BERNIE APOTHEKER,  
HARRY ESPOSITO and BRENT WENTZ, On  
Behalf of Themselves and All Others Similarly  
Situated,

Plaintiffs,

vs.

MILBERG WEISS BERSHAD &  
SCHULMAN LLP, LERACH COUGHLIN  
STOIA GELLER RUDMAN & ROBBINS  
LLP, MELVYN I. WEISS, DAVID J.  
BERSHAD, and STEVEN G. SCHULMAN,  
DOES 1 THROUGH 15,

Defendants.

x  
: Civil Action No. 07-CV-6950  
:  
: STIPULATION AND [PROPOSED]  
: ORDER  
: EXTENDING TIME TO ANSWER,  
: MOVE OR OTHERWISE RESPOND

WHEREAS on August 2, 2007, plaintiffs Linda Marshall, Ben Dampios, Al Spilloway, Bernie Apotheker, Harry Esposito and Brent Wentz ("Plaintiffs") filed a class action complaint (the "Complaint") against defendants Milberg Weiss Bershad & Schulman LLP ("Milberg Weiss"), Lerach Coughlin Stoia Geller Rudman & Robbins LLP ("Lerach Coughlin"), Melvyn I. Weiss, David J. Bershad, Steven G. Schulman, and Does 1 Through 15 ("Defendants");

WHEREAS on August 24, 2007, Milberg Weiss and Melvyn I. Weiss were granted an extension of time until September 26, 2007 to answer, move or otherwise respond to the Complaint;

WHEREAS on August 23, 2007, Plaintiffs and Lerach Coughlin recited in a stipulation dated August 23, 2007 that they will, as soon as all parties have appeared in this action, agree to a schedule that places all Defendants on the same schedule with respect to their time to answer, move or otherwise respond to the Complaint;

WHEREAS Plaintiffs, Milberg Weiss and Melvyn I. Weiss have stipulated that they will, as soon as all parties have appeared in this action, agree to a schedule that places all Defendants on the same schedule with respect to their time to answer, move or otherwise respond to the Complaint; and

WHEREAS certain Defendants' time to answer, move or otherwise respond to the Complaint has been extended until October 30, 2007;

IT IS HEREBY STIPULATED and agreed by and among the undersigned counsel on behalf of their respective clients that:

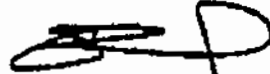
The time for defendants Milberg Weiss and Melvyn I. Weiss to answer, move or otherwise respond to the Complaint is extended until October 30, 2007.

BEATE AND OSBORN LLP

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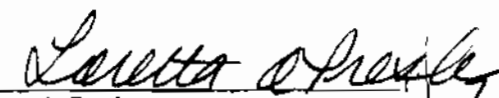


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Attorneys for Defendants Milberg Weiss  
and Melvyn I. Weiss

\* \* \*

**ORDER**

IT IS SO ORDERED.

DATED: September 28, 2007   
Hon. Loretta A. Preska  
United States District Judge